

REMARKS

Claims 1-2 were rejected as anticipated by MONASTRA et al. 5,361,249. Reconsideration and withdrawal of the rejection are respectfully requested.

Claim 1 includes, among other features, the step of monitoring said outgoing transmission lines, where these lines are connected to outgoing line cards. MONASTRA et al. does not disclose this step and thus claim 1 avoids the rejection under §102.

MONASTRA et al. discloses a system in which plural interface units 102, 104 are connected to crossbar switch 116 by transmission lines 15, 113. The interfaces are also connected to stations 12 through outgoing transmission lines 13 and 115. A control block 8 monitors the status of the transmission paths "extending through the crossbar switch, such as path 15₁ and 113_K to determine the existence of failures to transmit among the bit paths of the data path" (column 5, lines 11-12). This is a clear statement of exactly what control block 8 monitors; it monitors the path through the crossbar switch up to and including the paths 15 and 113. There is no indication in the reference that control block 8 monitors anything else. The reference does not disclose that the control block monitors the status of any of the outgoing transmission lines 13, 115, as is required to maintain the rejection under §102. The reference does not disclose any mechanism for monitoring the outgoing transmission lines 13, 115,

and does not disclose what action would be taken if a fault were found in one of the outgoing transmission lines. The reference discloses the use of supernumerary data paths to replace defective ones of data paths 15 and 113 (column 5, lines 26-65).

Claim 2 includes, among other features, the step of monitoring said outgoing line cards. MONASTRA et al. does not disclose this step and thus claim 2 avoids the rejection under §102. As explained above, the reference discloses a system that monitors the path through the crossbar switch up to and including the paths 15 and 113. There is no indication in the reference that control block 8 monitors anything else. The reference does not disclose that the control block monitors the status of any of the outgoing line cards 102, 104, as is required to maintain the rejection under §102.

The Official Action also points to column 14, lines 50-57 as relevant to claims 1 and 2. This section does not make up the shortcomings noted above. There is no indication in the reference that control block 8 monitors the outgoing transmission lines 13, 115 or the interfaces 102,104.

Accordingly, claims 1-2 avoid the rejection under §102.

Claims 3, 5, 7-8 and 11-12 were rejected as unpatentable over KRISHNA et al. "On the Speedup Required for Work-Conserving Crossbar Switches," IEEE Journal on Selected Areas in Communications, Vol. 17, No. 6, June 1999, in view of

MONASTRA et al. Reconsideration and withdrawal of the rejection are respectfully requested.

The Official Action acknowledges that KRISHNA et al. does not disclose the above-noted features of monitoring the outgoing transmission lines and the outgoing line cards and relies on MONASTRA et al. for the suggestion to modify KRISHNA et al. to include these features. However, as explained above, MONASTRA et al. does not disclose that that control block 8 monitors the outgoing transmission lines 13, 115 or the interfaces 102,104. Accordingly, for the reasons given above this feature is missing from the proposed combination and thus would not be obvious to one of skill in the art.

Claims 4, 6, 9-10 and 13-14 were rejected as unpatentable over KRISHNA et al. in view of MONASTRA et al. and WATANABE et al. 6,246,665. Reconsideration and withdrawal of the rejection are respectfully requested. WATANABE et al. does not make up for the shortcomings of MONASTRA et al. noted above and thus the proposed combination fails to suggest monitoring the outgoing transmission lines and line cards.

In view of the present amendment and the foregoing remarks, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any

overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read "Thomas W. Perkins", is written over a horizontal line.

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